

GENERAL, ADMINISTRATIVE, AND MISCELLANEOUS1-11. Memoranda of Understanding1. **AUTHORITY.**

To enter into Memoranda of Understanding, or equivalent instruments, between the agency and other federal agencies, state, tribal, or local governments, foreign governments, international organizations, private sector organizations and individuals, which set forth basic roles and responsibilities regarding the collaboration or cooperation of the parties on matters of mutual interest, under which no transfer of funds occurs.

2. **TO WHOM DELEGATED.** Division directors, or equivalent, for MOUs involving that director's division or office.3. **LIMITATIONS.**

- a. The division director, or equivalent, must obtain advance concurrence of the regional counsel, or designee, and the senior resource official, or designee, prior to exercising this authority.
- b. The authority to enter into a MOU where performance will occur outside the United States requires prior approval of the assistant administrator for International and Tribal Affairs and may be redelegated to the office-director level within OITA.

4. **REDELEGATION AUTHORITY.**

- a. The authority to enter into a MOU may not be redelegated further.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. **ADDITIONAL REFERENCES.** The authority to enter into MOUs is contained in "cooperation" and other provisions of EPA statutes or other laws.

- a. Clean Air Act, Section 102(b) [42 USC 7402(b)]
- b. Clean Air Act, Section 103(b)(2) [42 USC 7403(b)(2)]
- c. Clean Water Act, Section 104(b)(2) [33 USC 1254(b)(2)]
- d. National Defense Authorization Act, Section 325(d) of Pub. L. 104-106
- e. Clean Water Act, Section 518(b) and (e) [33 USC 1377(b) and (e)]
- f. Comprehensive Environmental Response Compensation and Liability Act, Section 104(i) [42 USC 9604(i)(1)]
- g. Comprehensive Environmental Response Compensation and Liability Act, Section 311 [42 USC 9660]
- h. Federal Insecticide, Fungicide, and Rodenticide Act, Section 17(d) [7 USC 136o(d)]
- i. Federal Insecticide, Fungicide, and Rodenticide Act, Section 20(a) [7 USC 136r(a)]
- j. Federal Insecticide, Fungicide, and Rodenticide Act, Section 22 [7 USC 136t(b)]
- k. Marine Protection, Research, and Sanctuaries Act, Section 203 [33 USC 1443]
- l. National Environmental Education Act, 20 USC 5503(b)(3)
- m. National Environmental Education Act, 20 USC 5503(b)(11)

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- n. Toxic Substance Control Act, Section 10 [15 USC 2609]
- o. Solid Waste Disposal Act, Resource Conservation and Recovery Act, Section 8001(a) [42 USC 6981(a)]
- p. Water Resources Research Act, 42 USC 10303(h)(1)(D)
- q. Strategic Environmental Research and Development Program Council 10 USC 2902(e)(6)
- r. Oil Pollution Act of 1990, Section 7001(a)(2) [33 USC 2761(a)(2)]
- s. Great Lakes Fisheries Act, 16 USC 939a
- t. Integrated Coastal and Ocean Observation System Act of 2009, Section 12305 [33 USC 3604]



Gregory Sopkin
Regional Administrator

Date